



April 19, 2016

VIA ECF

Honorable Steven C. Mannion, U.S.M.J.
United States District Court
District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

**Re: Days Inns Worldwide, Inc. v. Jay Nidhi, LLC, et al.
Civil Action No. 15-cv-5522(SDW)(SCM)
Site No. DIW 6669**

Dear Judge Mannion:

We represent plaintiff, Days Inns Worldwide, Inc. (“DIW”), in the above matter. Please accept this joint agenda letter on behalf of DIW, and defendants Jay Nidhi, LLC and Meena Patel, submitted in advance of the April 20, 2016 telephone status call.

On or about November 24, 2015, DIW served discovery demands and provided defendants with Initial Disclosures and supporting documents pursuant to Fed. R. Civ. P. 26(a). Defendants have not served any written discovery demands on DIW.

Pursuant to Your Honor’s February 22nd Scheduling Order, defendants were to produce all responsive discovery to defense counsel within 7 days, and then defense counsel was to produce that discovery to DIW within 7 days. On March 7, DIW received defendants’ discovery responses, but no supporting documents. Defense counsel requested an additional 30 days to provide the documents, and DIW eventually received said documents on April 11. Defense counsel recently indicated that more documents are forthcoming.

DIW originally scheduled the depositions of Meena Patel and a R. 30(b)(6) representative of Jay Nidhi, LLC for February 24, 2016. Defendants canceled the depositions and DIW rescheduled them for March 31. Defendants again canceled the depositions, but indicated that new dates are forthcoming. In their discovery responses defendants identified two additional persons with knowledge of this matter – Bhupendra Patel and Rajesh Patel. DIW requests that defense counsel make them available for deposition as well. Defendants have not noticed the deposition of a DIW representative.

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No meaningful settlement discussions have taken place. DIW's last demand was \$100,000, and defendants' last offer was \$20,000. During the last telephone conference on February 18, Your Honor asked defense counsel whether his clients could contact the Court to discuss outstanding discovery and settlement, but defense counsel was unable to speak with his clients. In light of the fact that defense counsel previously indicated that his clients lack of cooperation could necessitate his withdrawal as counsel, it may be beneficial if the defendants participated in a telephone conference with the Court regarding their depositions and settlement.

We look forward to speaking with Your Honor at the time of the conference.

Respectfully submitted,



Bryan P. Couch
Attorney at Law

BPC:JCM

cc: Eric Menhart, Esq. (via ECF)
Elizabeth Foster, Esq. (via ECF)